

**Bills Committee on
Motor Vehicle Idling (Fixed Penalty) Bill**

**List of Follow-up Actions Arising from
Discussion at Meeting on 12 November 2010**

Administration's Response

(a) Regarding the Administration's proposed amendments to clause 6(1) of the Motor Vehicle Idling (Fixed Penalty) Bill (the Bill), to review the need for clause 6(1)(b).

1. Having considered the views of the Bills Committee, we propose to delete clause 6(1)(b) of the Bill. Please refer to Annex for the draft Committee Stage Amendments (CSAs).

(b) To make reference to section 16A(1) of the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) and revise the expression "personal attention" in clauses 14(2) and 15(1) of the Bill to read "personal notice", and to revise "知悉" in the same clauses to read "本身知悉".

2. We propose to revise the expression "personal attention" in clauses 14(2) and 15(1) of the Bill to read "personal notice" and to revise "知悉" in the same clauses to read "本身知悉". Please refer to Annex for the draft CSAs.

(c) To make reference to section 20(1) of Cap. 237 and improve the drafting of clause 19(3) of the Bill to clarify the meaning of "at that time" and "at any later time" in that clause.

3. Making reference to section 20(1) of Cap. 237, we propose to revise clause 19(2) of the Bill to clarify the meaning of the phrase concerned. Clause 19(3) of the Bill will be deleted. Please refer to Annex for the draft CSAs.

(d) To improve the drafting of clauses 20 and 21 of the Bill to clarify that the "costs ordered in the proceedings" in clause 20(2) is in fact the costs referred to in clause 21.

4. We propose to revise clause 20(2) of the Bill to clarify that the "costs ordered in the proceedings" mentioned in that clause is the costs referred to in clause 21(2). Please refer to Annex for the draft CSAs.

- (e) *To consider revising “a person / the person” under the Bill [e.g. clause 21(2) of the Bill] to read “the defendant”, where appropriate, for consistency.*
5. We propose to revise the term “a person / the person” in clauses 17, 18, 21 and 23 of the Bill to read “the defendant”. Please refer to Annex for the draft CSAs.
- (f) *To provide by the next meeting the proposed amendments to effect the additional exemptions proposed by the Administration for members’ consideration.*
6. Please refer to Annex for the draft CSAs.

Environmental Protection Department
November 2010